



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/065,747	11/14/2002	Franklin J. Marks JR.	P02-11	7521
25759	7590	11/05/2003	EXAMINER	
JOHN J. ELNITSKI, JR. 225 A SNOWBIRD LANE BELLEFONTE, PA 16823			KING, ANITA M	
			ART UNIT	PAPER NUMBER
			3632	

DATE MAILED: 11/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/065,747

Applicant(s)

MARKS, FRANKLIN J.

Examiner

Anita M. King

Art Unit

3632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 18-21, 26 and 27 is/are allowed.
- 6) ☒ Claim(s) 1-4, 11, 12, 17 and 22-24 is/are rejected.
- 7) ☒ Claim(s) 5-10, 13-16 and 25 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 November 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

This is the first office action for application number 10/065,747, Camera Support Assembly and Actuator, filed on November 14, 2002.

Drawings

The drawings are objected to because the figures on page 22 of the drawings, i.e., Fig. 4, should be labeled separately for example, Fig. 4A and Fig. 4B; reference number "20" is not shown in Figs. 4-8 as suggested by the specification on page 4, line 10; reference number "50" (directly below reference number 48) in Fig. 4 does not refer to a hole as suggested by the specification; reference number "64" is not in Fig. 13 as suggested by the specification on page 6, line 27; reference number "134" is not in Fig. 22 as suggested by the specification on page 9, line 20; and "122" in the middle of Fig. 19 should be --124-- or --126--. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: "10," "36," "38," "40," "54," "76," "88," "99," "114," and "118". A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

The disclosure is objected to because of the following informalities: on page 4, line 20 the recitation of "Figs. 2-8" should be --Figs. 1-3--; page 5, line 5-6, states that the handle section piece includes 46, male end and the camera section piece includes 48, female end, however, in Fig. 4 the reverse is shown; and the recitation of "straps" on page 6, lines 6 and 7 should be --strap--.

Appropriate correction is required.

Claim Objections

Claims 2, 14, and 21 are objected to because of the following informalities: in claim 2, line 2 "piece" should be changed to --pieces--; in claims 14 and 21, line 5, "diameter" (second occurrence) should be changed to --diameters--. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 17 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 17 recites the limitation "said collar" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4, 11, and 12, are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,959,792 to Ibrahim in view of U.S. Patent Application Publication 2002/00977321 to McBride. Ibrahim discloses a mirror support and actuator, capable of supporting a camera and actuator, comprising: a Z-shape rod (10) having a handle section (12) at a top, a support section (14) at a bottom, and a middle section between the handle and support sections, said handle and support sections being approximately parallel to a surface and the middle section extending upward from the support section to the handle section; a mirror (16) mounted to the support section; and an actuator (22) mounted on the handle section to cause movement of the mirror;

Ibrahim discloses the claimed invention except for the limitations of a camera and a skid plate. McBride teaches that it is known to have a camera support and actuator (10) comprising a rod having a handle section (14) at a top (24), a camera support section (16) at a bottom, a camera (56) mounted to the camera support section, a skid plate (40) attached to bottom of the camera support section to support the camera support section above the surface and allow the camera support section to slide over the surface, wherein the skid plate includes offset angled casters (44) mounted to the skid plate to allow movement of the skid plate along the surface, and wherein the skid

Art Unit: 3632

plat is in a shape of an inverted wing, wherein the shape includes a middle section 46), two outside sections (see Fig. 2), and two angle sections, wherein the middle section is connected to the outside sections by the angled sections such that the middle section is lower than the outside sections, wherein the offset angled casters are mounted to the outside sections, and wherein the camera support section is connected to the middle section of the skid plate. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the support and actuator assembly in Ibrahim to have included a camera as taught by McBride as opposed to a mirror as disclosed by Ibrahim for the purpose of providing an alternative means for viewing and inspecting the undercarriage of a vehicle. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the support portion of the rod in Ibrahim to have included a skid plate as taught by McBride for the purpose of providing a means for easily sliding the support and actuator along a surface under the vehicle and for the purpose of alleviating strain and stress on the arm of a user caused by preventing the support portion of the rod from contacting the surface under the vehicle during the inspection of the vehicle.

Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ibrahim combined with McBride and in further view of Japanese Patent JP410197830A to Sekiguchi. Ibrahim combined with McBride disclose the claimed invention except for the limitation of the rod being two pieces and separating along the middle section. Sekiguchi teaches that it is known in the support and inspection art to have a assembly comprising a rod having a handle section (2c), a support section (3) for supporting a

Art Unit: 3632

mirror (5) at the bottom of the rod, and a middle section between the handle and support sections having two pieces (2a & 2b) that separate, and wherein the two pieces are configured to be assembled in multiple positions in relation to each other. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the middle section of the Z-shaped rod in Ibrahim combined with McBride to have included two pieces as taught by Sekiguchi for the purpose of providing a means for adjusting the height/length of the middle section of the rod in order to accommodate various users.

Claims 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ibrahim combined with McBride and in further view of U.S. Patent 5,707,014 to Chan et al., hereinafter, Chan. Ibrahim combined with McBride disclose the claimed invention except for the limitation of a caster wheel attached to the support section near an intersection of the middle section and the support section. Chan teaches a water jet cleaning apparatus for cleaning the underside of a vehicle, the device comprises top end having a handle section, a bottom end having a support section (14), a middle section between the handle section and the support section, and a caster wheel (54) attached to the support section near an intersection of the middle section and the support section. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the assembly in Ibrahim combined with McBride to have included a caster wheel attached to the support section near an intersection of the middle section and the support section as taught by Chan for the

Art Unit: 3632

purpose of providing a means for assisting in the movement of the support and actuator during usage.

Allowable Subject Matter

Claims 5-10, 13-16, and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 17 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Claims 18-21, 26, and 27 are allowed.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 4,039,818 to Hickman

U.S. Patent 5,305,356 to Brooks et al.

U.S. Patent 6,091,453 to Coan et al.

U.S. Patent 6,193,386 to Reynolds

Great Britain Publication 2,235,972 to Bickford

European Publication 0623814 to Scheck


Art Unit: 3632

Hickman discloses a remotely positionable mirror on an elongate arm for observing of generally inaccessible locations. Brooks et al. disclose an inspection device for inspecting selected positions. Coan et al. disclose a hand held remote camera for inspection of remote or obstructed fields of view. Reynolds discloses an illuminated telescope inspection/pickup tool. Bickford discloses an inspection device including a rod having a grip and a mirror. Scheck discloses an inspection camera that is supported on a vehicle.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anita M. King whose telephone number is (703) 308-2162. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leslie A. Braun can be reached on (703) 308-2156. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-2168.


Anita M. King
Primary Examiner
Art Unit 3632

November 3, 2003